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* MEMBER NJ AND NY BARS
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October 6, 2010

Via Facsimile (609-989-0435) & Regular Mail

The Hon. Tonianne J. Bongiovanni, U.S.M.J.
Fisher Federal Building, & U.S. Courthouse
Room 6052
402 E. State St.
Trenton, NJ 08608

Re: **OSS Nokalva, Inc. v. European Space Agency (Docket No. 3:08-cv-03169 (MLC) (TJB))**

Dear Judge Bongiovanni:

We write in regards to Mr. Ostrove's letter dated September 29. As that letter indicated, the parties are currently engaging in settlement discussions, having already exchanged formal written settlement drafts. It is our understanding that OSS Nokalva will receive the European Space Agency's response to its latest settlement demand on or about either Friday, October 8 or Monday, October 11.

With the hope that the parties settle, we respectfully request, with ESA's consent, that Your Honor adjourn ESA's pending motion to compel arbitration for two cycles, from November 1, 2010 to December 6, 2010.

The Motion to Compel is Dismissed with out prejudice and Will be deemed Refiled at the request of the parties.
Respectfully submitted,
[Signature]
Ronald L. Israel

c: Eliot Ostrove, Esq. (via email only)

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ORDER ON ORAL MOTION

So Ordered this 7 day
of October, 2010
[Signature]

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